

Notice of Allowability**Application No.**

10/627,515

Applicant(s)

CANNON, LEE E.

Examiner

Matthew D. Hoel

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04/20/2010.
2. ☒ The allowed claim(s) is/are 49-52,54-56,58.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 04/16/2010.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/M. D. H./
Examiner, Art Unit 3714

/Peter Dung Ba Vo/
Supervisory Patent Examiner, Art Unit 3714

DETAILED ACTION

Allowable Subject Matter

Claims 49 to 52, 54 to 56, and 58 are allowed.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The examiner called the applicant to indicate that he thought the encryption with respective private keys of the game author and the regulatory authority and the decryption with the respective public keys of the game author and the regulatory authority were significant in light of the cited references. Mr. Patel made a supplementary amendment on 04-20-2010 along these lines.

The closest prior art references are Martinek, et al. (U.S. pre-grant publication 2003/0130032 A1) and Arnold (EP 0 661 675 A2, application 94117809.7).

Arnold generally describes parallel encryption with two respective keys from two respective parties and parallel decryption with two respective keys from the same two parties. One of the parties is an employee and the other party is a supervisor, analogous to the claimed data authoring organization and gaming authority, in that there is an authority figure who must approve the work of another. Arnold does not pertain to public/private key encryption and decryption as claimed. Arnold instead discloses parallel encryption and decryption using session keys as are known in the art (generally disclosed at Fig. 4, 6:4-19 and Fig. 5, 6:20-48).

Martinek describes at Fig. 4 a parallel decryption, but for comparing a signature 240 to a loadable data set 224 with respective public keys 234 and 238. These public keys, however, are not separate public keys of a data authoring organization and a gaming regulatory authority as claimed. Martinek mentions public/private key encryption at Para. 62, but does not develop it along the lines of the present claims. Martinek describes gaming authority keys at Paras. 83 and 90, but does not develop them along the lines of the present claims.

The independent claims as presently cited allow two separate data sets, originally the same data set, with one copy encrypted by the data authoring organization using its private key and a second copy encrypted by the gaming regulatory authority using its private key. The separate data sets can, and are in the claims as cited, be transmitted to the gaming machine located at the casino operator and decrypted using the respective public keys of the data authoring organization and the gaming regulatory authority. The advantage of using respective private keys is that each private key is known only to its organization. The advantage of the respective public keys is that they are publicly known without compromising the secrecy of the private key. Only the gaming regulatory authority would know its private key; the only party besides the data authoring organization to know its private key would be the gaming authority, depending on local regulations. The data authoring organizations private key would otherwise be secret. The gaming operator or casino has the advantage of knowing that the gaming data has been independently verified and encrypted by two parties, and that accountability has been provided by the regulatory authority. This allows the gaming

operator to know that it is extremely unlikely that the gaming data has been tampered with since the private keys are maintained on a "need to know" basis only. This secured gaming data would also have the advantage of protecting the casino from unusually high payouts which could result from compromised or hacked gaming data such as paytables, protecting the casino financially. The independent claims as cited also make it unlikely that the casino would be cited for regulatory violations resulting from an audit finding tampered gaming data. The examiner respects that the applicants may have different reasons for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Drawings

The drawings filed on 07-17-2008 are acceptable.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wells, et al. in U.S. patents 6,219,826 B1; U.S. pre-grant publication 2003/0228912 A1; U.S. pre-grant publication 2006/0040745 A1 teach game development and regulatory approval. Story, et al. in U.S. pre-grant publication 2002/0046181 teach license management. Catan in U.S. pre-grant publication

2003/0074323 A1 teaches software usage management. Parks, et al. in U.S. pre-grant publication 2003/0194092 A1 teach digital rights management. Stefik, et al. in U.S. patents 6,959,290; 6,708,157; and 6,236,971 teach authorizations for using digital works. Nguyen, et al. in U.S. pre-grant publication 2002/0116615 A1 teach encrypted networks typically known in the gaming arts. Saffari, et al. in U.S. patent 6,264,561 B1 teach cryptographically downloading and licensing game data sets as typically known in the gaming arts.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew D. Hoel whose telephone number is (571) 272-5961. The examiner can normally be reached on 8:00 A.M. to 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. D. H./
Examiner, Art Unit 3714

/Peter D. Vo/

Supervisory Patent Examiner, Art Unit 3714